

SERVICE DATE - NOVEMBER 7, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 569X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—IN GUERNSEY AND
NOBLE COUNTIES, OH

Decided: November 1, 2000

By decision served on June 4, 1999, the Board granted CSX Transportation, Inc. (CSXT), an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 to abandon a 13.3-mile portion of its Louisville Service Lane, Central Ohio Subdivision, extending from milepost 4.9 near Byesville to milepost 18.23 at the end of the track near Cumberland, in Guernsey and Noble Counties, OH, subject to standard employee protective conditions and a condition requiring CSXT to retain its interest in and take no steps to alter the historic integrity of Bridge #5 until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

By decision served on August 11, 1999, the Board approved the Cambridge-Guernsey County Community Improvement Corporation's (CIC) purchase, under the offer of financial assistance procedures (49 CFR 1152.27), of a 3.6-mile line segment between milepost 4.9 and milepost 8.5 in Derwent, OH, which includes Bridge #5, and dismissed the petition for exemption with respect to that line segment effective on the date the sale was consummated.¹

The Board's Section of Environmental Analysis (SEA) states that CSXT informed the Board that it has consummated the sale of the line segment, including Bridge #5, to CIC. Because the bridge will now be preserved in place, SEA recommends that the section 106 condition be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the

¹ The abandonment exemption for the remainder of the line between milepost 8.5 and milepost 18.23 became effective on July 4, 1999.

decision served on June 4, 1999, is removed.

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary